

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SUN NATIONAL BANK,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	NO. 11-432
RAPID CIRCUITS, INC. and UNITED STATES	:	
OF AMERICA,	:	
	:	
Defendants.	:	

O R D E R

AND NOW, this 19th day of May 2011, having considered the Motion to Dismiss the Counterclaim of Counterclaim Defendants Deeb, Petrakis, Blum & Murphy, P.C. and Inez M. Markovich (“the Attorneys”) (Doc. No. 6), Defendants/Counterclaim Plaintiff Rapid Circuits’ Response thereto (Doc. No. 13), the Motion to Dismiss the Counterclaims and/or to Strike the New Matter of Plaintiff/Counterclaim Defendant Sun National (“Sun”) (Doc. No. 3), Rapid Circuits’ Response (Doc. No. 12), Sun’s Reply (Doc. No. 14), and Rapid Circuits’ Sur-Reply (Doc. No. 15), as well as the representations of counsel at oral argument held on January 28, 2011, and for the reasons discussed in both the Memorandum Opinion issued on May 3, 2011 in Civil Action No. 10-6401 and the accompanying Memorandum Opinion, it is hereby ORDERED that the Motions are GRANTED in part and DENIED in part.

As acknowledged by all parties, the counterclaims asserted in this matter are identical to the claims asserted in the Amended Complaint in a matter titled Rapid Circuits, et al. v. Sun National, et al., Civ. Action No. 10-6401. The parties incorporated their arguments from the 10-6401 matter, and the disposition of the Motions to Dismiss the Counterclaims is the same as the

disposition of the Motions to Dismiss in the 10-6401 matter, for the same reasons. Notably, the Motion is GRANTED as to Counts I, II, III, V, VI, VII, VIII, X, and XI of the Counterclaim and DENIED as to Counts II, IV, and IX of the Counterclaim.

The Court further ORDERS the parties to file briefs regarding the jurisdictional issue discussed in the accompanying Memorandum by June 1, 2011.¹

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE

¹ Such briefs shall be no more than 7 pages.